

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

UNITED STATES OF AMERICA

v.

ANTONIO SERNA,

Defendant.

)
)
)
)
)
)
)
)
)
)

Case No. 3:20-CR-00170-M-1

**UNOPPOSED MOTION FOR SINGULAR INSTANCE MODIFICATION OF
PRESENTENCING RELEASE CONDITIONS AND TO AUTHORIZE TRAVEL**

Defendant Antonio Serna, by and through undersigned counsel, hereby moves this honorable Court for the entry of an order allowing him to travel to El Salvador for business for up to seven days between the dates of November 13, 2024, and November 26, 2024, and in support thereof states as follows:

I.

Serna pled guilty to Count 1 of an Information, which charged him with conspiracy to commit health care fraud in violation of 18 U.S.C. § 371. (ECF 1.) After several agreed continuances, as discussed in the sealed motions filed with this Court, Mr. Serna is currently scheduled to be sentenced on February 13, 2025. (ECF 58.) Mr. Serna has been enlarged on bond, subject to conditions, since his plea. He has complied with all conditions of his bond and supervision, including the requirement that he not travel outside of the confines of this District without Court permission. Mr. Serna has not made any previous travel requests.

II.

Currently, Mr. Serna works as the President and lead representative of Black Gold Texas

Tea Oil LLC. The company has recently been awarded a concession to build a refinery in El Salvador. The company requests that, given the importance of the project, Mr. Serna be allowed to travel to El Salvador to meet with local contractors about the construction of the refinery, to visit the site that was selected by the Salvadoran Presidential Office, and to meet with President Nayib Bukele and other high-level officials to discuss the project's scope and alignment with Salvadoran interests. A letter from the company's Chairwoman and Owner outlining this need for Mr. Serna to travel is attached hereto as Exhibit A. Once Mr. Serna's travel plans are set, he will inform the Department of Pretrial Services for the Northern District of Texas of his exact flight plans, where he will be staying, and how he can be contacted while he is gone.

III.

The government does not oppose the requested travel. Likewise, Mr. Serna's Probation Officer is supportive of the request and has no objection to it. Because Serna has been compliant with his conditions of release and will continue to do so, the requested travel will not harm the public interest.

WHEREFORE, Defendant Antonio Serna respectfully requests that this Court modify his conditions of release to allow him, for purposes of this single instance, to travel to El Salvador for a period of up to seven days between November 13, 2024, and November 26, 2024, and for all other relief this Court deems fair and just.

Respectfully submitted,

/s/ Elizabeth K. Stepp
Elizabeth K. Stepp
Texas Bar No. 00788467
eks@federal-lawyer.com
Nick Oberheiden
NY Reg. No. 4619011
nick@federal-lawyer.com
OBERHEIDEN, P.C.
440 Louisiana St., Suite 200
Houston, Texas 77002
(214) 334-7648 (Telephone)
(972) 559-3365 (Facsimile)
ATTORNEYS FOR DEFENDANT
ANTONIO SERNA

CERTIFICATE OF CONFERENCE

I hereby certify that on November 8, 2024, I conferred with AUSA Douglas Brasher on this motion and was informed that the government had no objection to the requested travel.

/s/ Elizabeth K. Stepp
Elizabeth K. Stepp

CERTIFICATE OF SERVICE

I hereby certify that on November 8, 2024, a true and correct copy of the above and foregoing instrument was served electronically on all counsel of record via ECF.

/s/ Elizabeth K. Stepp
Elizabeth K. Stepp

EXHIBIT A



McKinney Texas, October 29, 2024.

Black Gold Texas Tea Oil LLC
5900 S Lake Forest Dr Suite 300
McKinney, Texas 75070
Mariahs@BGTOil.com

Subject: Request for Travel Permit for Company Representative

Attention: Attorney Nick Oberheiden, Federal Courts, and Prosecutors,

Black Gold Texas Tea Oil LLC has recently been awarded the concession to build a refinery in El Salvador. To advance this critical project, we are requesting a travel permit for Antonio Serna, our lead representative and newly appointed President of the company. During his visit to El Salvador, Mr. Serna will be engaging in discussions with local contractors regarding the refinery's construction and visiting the designated site, selected by the Salvadoran Presidential Office.

Additionally, Mr. Serna is scheduled to meet with President Nayib Bukele and other high-level officials to further outline the project's scope and alignment with national interests. Mr. Serna has extensive experience in the oil and gas industry and has been a valued member of our company for several years, contributing significant expertise to our operations.

We respectfully request a travel window between November 13 and November 26, 2024, allowing Mr. Serna a 5-7 day visit within this timeframe. This period will enable him to complete necessary meetings, site evaluations, and strategic discussions.

Our company has over 50 years of experience in the oil and gas sector, with numerous projects across the USA, Mexico, and Latin America. We kindly ask for your consideration of this request, as it is essential for the growth and development of our company's operations in El Salvador and the United States.

Sincerely,

A handwritten signature in black ink, appearing to read "Maria H. Pendergrass", with a large, sweeping flourish extending from the end of the signature.

ATENTAMENTE,
Maria H. Pendergrass, Chairwoman and Owner
Mariahs@BGTOil.com